

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: CYRILLE et al. Examiner: Culbert, R.
Serial No.: 10/633,765 Group Art Unit: 1763
Filed: August 4, 2003 Docket No.: HSJ920030027US1
Title: METHOD FOR PROVIDING A LIFTOFF PROCESS USING A SINGLE
LAYER RESIST AND CHEMICAL MECHANICAL POLISHING AND
SENSOR FORMED THEREWITH

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this communication is being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: MAIL STOP PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 9, 2006.

By: 
David W. Lynch

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Petitioner hereby petitions for the reinstatement of the above-identified patent application under allowance, which was unintentionally abandoned.

The petitioner received a Notice Of Abandonment, mailed on June 14, 2006, for failure to pay the issue fee. Petitioner filed a Petition To Withdraw Holding of Abandonment on June 21, 2006. Petitioner received a Decision On Petition, mailed July 31, 2006, denying the Petition of June 21, 2006 because insufficient funds were in the deposit account at the time the issue fee was paid. Accordingly, Petitioner petitions for the reinstatement of the above-identified patent application under allowance, which was unintentionally abandoned.

Petitioner avers that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional.

Please charge the amount of \$1,500.00, the large-entity Petition fee as set forth in § 1.17(m); to Deposit Account 50-2587 (HSJ920030016US3). 08/15/2006 YPOLITE1 00000024 592587 10633765
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In addition, please charge Deposit Account 50-2587 (HSJ920030016US3).in the amount of \$1,000.00 for the remaining balance as indicated on the Decision On Petition mailed July 31, 2006 (i.e., \$700.00 already having been paid).

A copy of the Issue Fee Payment documents and the Decision On Petition mailed July 31, 2006 are included herewith.

If the full fee of \$1700.00 is due, please charge Deposit Account 50-2587 (HSJ920030016US3).in the amount of \$1,700.00.

Petitioner respectfully requests that favorable consideration be afforded this Petition for Revival of an Unintentionally-Abandoned Application, and that Patent Application Serial Number 10/633,3765 be revived.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Attorney for Applicant, David W. Lynch, at 423-757-0264.

Respectfully submitted,

Chambliss, Bahner and Stophel
1000 Tallan Building
Two Union Square
Chattanooga, TN 37402
423-757-0264

By: 
Name: David W. Lynch
Reg. No.: 36,204

Enclosures: Copy of Payment of Issue Fee and accompanying documents
Copy of Decision On Petition mailed July 31, 2006
Return Postcard

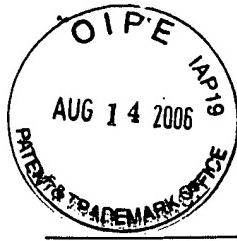
Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office

Applicant: Cyrille, et al.
For: METHOD FOR PROVIDING A LIFTOFF PROCESS USING A
SINGLE LAYER RESIST AND CHEMICAL MECHANICAL
POLISHING AND SENSOR FORMED THEREWITH
Serial No.: 10/633,765
Filing Date: 08/04/2003
Date of Deposit: May 1, 2006
Docket No.: HSJ9 2003-0027US1 (0518)

RECEIVED THIS DATE:

- Transmittal Letter
- Part B Fee Transmittal
- Fee Address Indication Form
- Return Postcard





UNITED STATES PATENT AND TRADEMARK OFFICE

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JUL 31 2006

Director's Office
Office of Patent Publication

DAVID W. LYNCH
CHAMBLISS, BAHNER & STOPHEL
1000 TALLAN SQUARE-H
TWO UNION SQUARE
CHATTANOOGA, TN 37402

In re Application of	:	
CYRILLE, MARIE-CLAIRES, et al.	:	
Application No. 10/633,765	:	DECISION ON PETITION
Filed: August 4, 2003	:	
Attorney Docket No. HITG.025PA(0518)	:	

This is a decision on the Petition To Withdraw Holding Of Abandonment Under 37 CFR § 1.181, received in the United States Patent & Trademark Office (USPTO) on June 26, 2006.

The petition is **DISMISSED**. Any request for reconsideration of this decision, or as explained below, filing a petition seeking revival under 37 CFR § 1.137, must be filed within TWO MONTHS (2) from the mail date of this decision.

The above-identified application was held abandoned for applicant's failure to timely pay the issue fee and publication fee, as required in the Notice of Allowance and Fee(s) Due, mailed February 2, 2006. The Notice of Abandonment mailed June 14, 2006 indicates that the submitted fee of \$700 is insufficient. A balance of \$1,000 is due.

The Office acknowledges receipt of Part B – Fee(s) Transmittal on May 4, 2006, authorizing that the Issue Fee and Publication Fee be charged to Deposit Account No.50-2587. Unfortunately, on May 5, 2006, when an attempt was made by the Office of Finance to charge the fee, there were insufficient funds in the Deposit Account.

37 CFR 1.25 (a) and (b), which states in part:

1.25(a) ...An amount sufficient to cover all fee, services, copies, etc., requested must always be on deposit. Charges to accounts with insufficient funds will not be accepted."

1.25 (b) ...An authorization to charge a fee to a deposit account will not be considered payment of the fee on the date the authorization to charge the fee is effective as to the particular fee to be charged unless sufficient funds are present in the account to cover the fee.

In light of the non-compliance with 37 CFR 1.25, the holding of abandonment cannot be withdrawn.

Applicant may seek relief by filing a petition for Revival of Abandoned Application under CFR § 1.137 (a) or (b). (Forms are available at USPTO website <http://www.uspto.gov>)

- Under 37 CFR 1.137(a), a petition for the revival of an *unavoidable* abandoned application
 - Under 37 CFR 1.137(b), a petition for the revival of an *unintentionally* abandoned application

Further inquiries with respect to filing a petition under 37 CFR § 1.137 may be directed to the Office of Petitions at 571-272-3282 or addressed as follows:

By mail: Mail Stop Petitions
Commissioner for Patents
Office of Petitions
P O Box 1450
Alexandria, VA 22313-1450

Telephone inquiries concerning this decision matter may be directed to the undersigned at 703 308-9250 Ext. 137.

Donna E Hawken

Thomas E. Hawkins
Paralegal Specialist
Office of the Director
Office of Patent Publications